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**HOUSE BILL NO. 1652**

House Amendments in [ ] — January 28, 2013

*A BILL to amend and reenact § 17.1-258.3 of the Code of Virginia, relating to electronic filing in civil proceedings; fee.*

Patron Prior to Engrossment—Delegate Kilgore

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That § 17.1-258.3 of the Code of Virginia is amended and reenacted as follows:**

**§ 17.1-258.3. Electronic filing in civil or criminal proceedings.**

Any clerk of circuit court may establish and operate a system for electronic filing in civil or criminal proceedings that shall be governed by the Rules of the Supreme Court of Virginia. The circuit court clerk may require each person whom the clerk authorizes to file documents electronically to enter into an agreement specifying the electronic filing procedures to be followed, including, but not limited to, security procedures, as defined in the Uniform Electronic Transactions Act (§ 59.1-479 et seq.), for transmitting signed or notarized documents.

*Any clerk of circuit court with an electronic filing system established in accordance with the Rules of the Supreme Court of Virginia [ ~~shall~~ may ] charge an addditional \$2 fee for every civil case initially filed by paper [ , except that a person who is determined to be indigent pursuant to § 19.2-159 shall be exempt from the payment of such fee ] . The fee shall be paid to the clerk's office and deposited by the clerk into the clerk's nonreverting local fund to be exclusively used to cover the operational expenses of the electronic filing system.*

ENGROSSED

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